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March 27, 2013

Via Email

Joseph F. Scott
City of Cleveland, Department of Law
601 Lakeside Avenue, Room 106
Cleveland, OH 44114-1077

Re: Ayers v. City of Cleveland et al. (1:12-cv-753)

Dear Mr. Scott:

I write to confirm our conversations yesterday. When we first spoke, you suggested that Plaintiff forebear collecting on the judgment from your clients in exchange for an assignment of the right to seek indemnification. I informed you that Plaintiff would consider your clients' offer.

I called you back to inform you that I did not see any advantage to my client from your offer. You stated that your clients were considering seeking bankruptcy protection from the judgment and, to that end, you told me you had hired a bankruptcy lawyer for them. You also said that although you represented Defendants Kovach and Cipo, you did not represent them insofar as seeking indemnification on their behalf. I understand that no one is representing Defendants Kovach and Cipo as to indemnification.

We also discussed Defendants' forthcoming Rule 59 motion. I informed you that Plaintiff would not oppose a Rule 59 motion challenging the sufficiency of the evidence on Plaintiff's Intentional Infliction of Emotional Distress claim. I told you if you forwarded a draft to me, I would then be able to permit you to file as unopposed as to that claim. We do, however, oppose Rule 59 relief in any other respect, as to all of the other claims. You stated that you would forward a draft to me this week or early next week, in time to file it by the April 5, 2013, due date.

I called you back to learn the name of the bankruptcy lawyer you hired for Defendants. You told me his last name was Lenihan and his first name was possibly John, but that you would kindly forward me his contact information.

EXHIBIT A

Joseph Scott
March 27, 2013
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I look forward to hearing from you regarding the contact information for the bankruptcy lawyer.
If you have any questions, please contact me. As always, I appreciate your cooperation.

Sincerely,



Russell Ainsworth